

**TOWN OF WESTERLO  
ALBANY COUNTY, NEW YORK**



**COMPREHENSIVE PLAN**

**MAY 2014**

**PREPARED BY:  
TOWN OF WESTERLO COMPREHENSIVE PLAN ADVISORY  
COMMITTEE**

COMPREHENSIVE PLAN – 2014

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# Town of Westerlo, Albany County, New York

## Comprehensive Plan

### **MISSION STATEMENT**

The general sentiment of Planning Board members and participating members of the public throughout the Comprehensive Plan process, is that people generally like the Town of Westerlo, as it currently exists, and a Comprehensive Plan should ensure that aspects of the present Town be preserved and protected.

As part of this process, the Planning Board repeatedly conducted an inquiry to determine what particular aspects of the present Town people find attractive and worthy of protection in the Comprehensive Plan.

The single most consistently identified aspect of the Town, deemed highly valuable and worthy of immediate and continued protection, is those lands currently suitable for rural/agricultural use.

To establish guidelines for land use and decision-making processes to obtain future compatible results with the shared vision for the future of our Town.

The crucial importance of active rural/agricultural lands was defined in a number of ways. These included the aesthetic value of the farm operations themselves as well as the views and vistas. Also, the fact that active farm operations provide the Town with a signature distinctive characteristic as a rural/agricultural community and provide a direct connection to the, predominate, aspect of the history and culture of Westerlo. The economic benefit from active rural/agricultural operations was also identified and is wholly supported through the RIGHT TO FARM ACT.

## 1.0

# Town of Westerlo, Albany County, New York

## Comprehensive Plan

### Introduction

This document constitutes the Town of Westerlo's first ever written Comprehensive Plan for Sustainability and Growth.

This plan is written and created pursuant to authority conferred by New Your State Town law Section 272-a and by the authority of the Westerlo Town Board, who, by Resolution, conferred upon the Town of Westerlo Planning Board the task of creating and presenting this plan.

This document results from the direct input and process participation of Town residents and the consensus of opinions of Comprehensive Plan Advisory Committee members. The entire process, to formulate the contents of this document, was conducted at open and public meetings that emphasized the importance of public participation.

The members of the Town of Westerlo Comprehensive Plan Advisory Committee unanimously agree that the overriding goal of this document is to provide a simple, clear and concise document that sets forth the defining criteria to be considered whenever the Town takes any legislative or administrative action that impacts zoning. It is the specific intention of this document to serve as a guidepost when considering new zoning legislation.

No legislative action affecting zoning including, but not limited to, enactment of a new zoning code should occur until a thorough review has been conducted as to the proposed legislation's impact upon the Key Goals and Objectives set forth in this document.

## 2.0

### Town of Westerlo, Albany County, New York

#### Comprehensive Plan



#### History

The Town of Westerlo was founded in 1815 and named after Reverend Eilardus Westerlo. Eilardus Westerlo was born in Kantens, Groningen, The Netherlands. He spent his career, from October 1760 until December 1790, as pastor of the Dutch Reformed Church in Albany, N.Y. During this period, the United States fought for its independence, and the Dutch Reformed Church in North America gained its independence from the mother church in the Netherlands.

Eilardus Westerlo was chosen by Daniel Gerdes and Michael Bertling in Groningen as a successor for Theodorus Frelinghuysen as pastor of Albany, New York. Westerlo proved not only that he understood the issues in Albany, but also that he could come up with workable solutions. He became one of the leaders of his denomination in America. For 30 years he successfully steered his own congregation past its problems of discord. Town of Westerlo, Albany County, New York

2.0a

## Comprehensive Plan

### History(cont.)

Moreover, he was instrumental in helping the Dutch Reformed Church in NY and New Jersey, establish its own organization in North America.

In addition to his work at Albany, he also ministered at Schaghticoke, NY, quarterly. As soon as Westerlo's congregation finally joined the Union of Dutch Reformed Churches in 1785, he was immediately chosen to be president of the General Synod. Perhaps for this reason, but also to be celebrated for his efforts towards education, he was made an honorary doctor of theology by the College of New Jersey, now Princeton University, that same year.

In 1984 Howard Hageman called Eilardus Westerlo "Albany's Dutch Pope".

### **HISTORICAL MARKERS**

The Town of Westerlo is rich in history dating back to November 1, 1683.

Albany County is one of the original counties of the province of New York created, by law, November 1, 1683. The historic marker commemorating this occasion can be found on NYS 32 at the Albany-Greene County line.

There are 20 historical markers within the Town of Westerlo.

A marker found at the intersection of NYS 32 and NYS 143 at Dormansville, noted that Andrew Hannay raised a company of volunteers in October 1777, to oppose the invasion of Burgoyne, who surrendered before their arrival. Numerous markers identify early storekeepers (1798) to Quaker Baptist and Reformed churches dating from 1793 to 1832.

## 2.1

# Town of Westerlo, Albany County, New York

## Comprehensive Plan

### Background

In 1989, the Town of Westerlo enacted a Zoning code applicable to all properties within the Town. This zoning code, as amended from time to time, has remained in effect.

The Town has not previously drafted, considered, or adopted a Comprehensive Plan to guide zoning regulations or any amendments thereto. Recognizing the fact that a zoning code without a Comprehensive Plan detracts from sound planning for the future of the Town.

The Town Board in 2007 divested itself of Planning Board responsibilities and created a new, separate Planning Board for the Town. In addition to conferring traditional Planning Board responsibilities upon the new Planning Board, the Town Board further tasked the new Planning Board to draft a Comprehensive Plan to be considered for adoption by the Town Board.

Throughout 2007 to 2012, the Planning Board conducted regular monthly meetings to solicit public input and to discuss what aspects and elements of a Comprehensive Plan would best meet the needs of the Town of Westerlo.

This process involved, first, ascertaining what existing aspects of the Town are important to the residents and what is the shared vision for the Town's future.

The consensus of opinions of Committee members, based upon input from the Town residents, has resulted in this submission of the Comprehensive Plan.

It is the opinion of the members of the Town of Westerlo Planning Board, acting as the Comprehensive Plan Advisory Committee, that the principles, goals, objectives and specific recommendations set forth herein, provide the most advantageous path to follow.

## 3.0

# Town of Westerlo, Albany County, New York

## Comprehensive Plan

### Census

As of the census of 2000, there were 3,466 people, 1,326 households, and 970 families residing in the town. The population density was 59.9 people / square mile. There were 1,537 housing units at an average density of 26.6 /square mile. The racial makeup of the town was 98.27% White, 0.55% African American, 0.12% Native American, 0.20% Asian, 0.14% from other races, and 0.72% from 2 or more races. Hispanic or Latino of any race is 0.92% of the population.

There were 1,326 households out of which 33.9% had children under the age of 18 living with them, 60.6% were married couples living together, 7.8% had a female householder with no husband present, and 26.8% were non-families. 22.2% of all house holds were made up of individuals and 9.4% had someone living alone who was 65 years of age or older. The average house hold size was 2.61 and the average family size was 3.06.

In the town, the population was spread out with 26.5% under the age of 18, 5.4% from 18 to 24, 28.9% from 25-44, 26.6% from 45-64, and 12.6% who were 65 years of age or older. The median age was 39 years. For every 100 females there were 95.3 males. For every 100 females age 18 and over, there were 95.2 males.

The medial income for a household in the town was \$48,488, and the median income for a family was \$55,660.

Males had a median income for \$39,516 versus \$28,393 for females. The per capita income for the town was \$21,000. About 4.4% of families and 5.4% of the population were below the poverty line, including 5.9% of those under the age of 18 and 2.5% of those age 65 or over.

The 2010 Census was virtually unchanged with 1,354 households with renter –occupied of 204 and 1,150 owner occupied.

The population of 21% under the age of 18, 7% Age 19-24, 30.5% age 25-49, 23.4% age 50-64 and 14.5% over the age of 65.

### 3.1

## Town of Westerlo, Albany County, New York

### Comprehensive Plan

#### Geography and Demographics

The Town of Westerlo is a rural community located in the hilltowns of Southern Albany County. It is know for its natural beauty; pastoral rural countryside, rolling hills, meandering creeks (great fishing), waterfalls and forest land for hiking and cross-country skiing.

Westerlo also contains several miles of designated snowmobile trails with a wide variety of scenery. Visitor attractions include farms and farm activities, natural reserves, trails, historic buildings and cemeteries.

Historically, the Town of Westerlo has been an agricultural community with associated mercantile uses in the hamlet areas. Numerous and varied entrepreneurial endeavors populate the township.

The Town has the nation's largest manufacturer of hose reels located in Westerlo - **Hannay Reels**. Hannay Reels is celebrating it 80<sup>th</sup> year in business in 2013.

#### Other businesses and services include:

Real Estate agencies	2 grain and feed dealers
Attorney's office	bank and post office
Town doctor	Library and Town Museum
Numerous cottage industries	numerous automobile repair and service centers
Boarding kennels	2 storage centers
Insurance agencies	barber and beauty parlors
Bed & Breakfast	5 churches of various denominations
3 general stores	a restaurant
Fencing, yoga and karate studios	numerous cattle and working farms
2 well drillers	

## 3.2

### Town of Westerlo, Albany County, New York

#### Comprehensive Plan

##### **Overall Principles and Objectives**

##### **Key Goals and Objectives**

It is the opinion of the Comprehensive Plan Advisory Committee that zoning and planning activities in the Town of Westerlo should be guided by certain key overriding objectives. Any non-ministerial legislative or administrative decision related to zoning should be viewed through the prism of these key objectives. These objectives serve as the basis for this document and its underlying guiding principles. They are based upon community input and careful deliberation by the Committee.

The **key objectives** of this document are to ensure that zoning in the Town of Westerlo:

1. Promotes the health, safety and welfare of the community,
2. Maintains and enhances the rural character of the town,
3. Protects and promotes agricultural operations and farmlands within the Town of Westerlo, pursuant to Albany County ' Right to Farm law'.
4. Protects and preserves existing open space and forested lands,
5. Provides for orderly and sustainable growth on a suitable scale conducive to local road, utilities, waste and water systems, and infrastructure conditions,
6. Adequately and sufficiently protects neighboring land uses from potentially objectionable aspects of new development through the use of Site Plan Review and Special Use Permitting processes,
7. Promotes continued recreational opportunities,
8. Protects and preserves existing water resources, and
9. Controls the location, size and scope of new development through the use of zoning tools such as incentive zoning, floating zones, and conservation easements.

## 3.2a

### Town of Westerlo, Albany County, New York

## Comprehensive Plan

### **Overall Principles and Objectives** (cont.)

10. Improve and expand municipal infrastructure to support new development and encourage state of the art telecommunications infrastructure to spark business development and technology growth. (Note: Article 17 Section of the Local Law #1 of 1989- Wireless Communications Facilities)
11. Promote commercial expansion, niche retail and specialty farming, along with small technology companies, which will flourish with enhanced telecommunications infrastructure.
12. Preserve and maintain the character and beauty of the rural landscape of Westerlo.

### **Specific Items to be considered**

As a result of public input and deliberation by the Comprehensive Plan Advisory Committee, the following specific elements should also be considered when enacting a new zoning code.

### **Use of Special Use Permits and Site Plan Review**

The zoning code should utilize the special use permit and site plan review processes to the maximum extent possible.

Requiring commercial uses to undergo special use permit and site plan review has been strongly encouraged by Town Building Department staff and identified by the Comprehensive Plan Advisory Committee as an effective means to ameliorate or eliminate potential impacts upon neighboring properties and uses.

Requiring special use permits and site plan review is especially critical whenever proposed commercial uses will interface with residential uses of property.

## 3.2b

### Town of Westerlo, Albany County, New York

## Comprehensive Plan

### **Appropriate Areas for Commercial and Industrial Development**

The specific areas of the Town identified as the suitable locations for commercial and industrial development are the State Route 32 and State Route 85 corridors

This conclusion was made with the caveat that there exists within these corridors areas, which are predominantly residential in nature, and that the entire length of each corridor may not be suitable for commercial development in light of existing residential or agricultural uses.

As a result, the effective use of special use permits and site plan review requirements are viewed to be a potential course of action to protect existing and future residential uses in these areas.

### **Housing**

Input from the public and Committee members identified the importance of developing affordable age-in-place opportunities for older residents and the handicapped.

Future zoning should maximize opportunity to construct appropriate age restricted and handicapped housing opportunities.

Maximizing opportunities for affordable housing for all persons must also be made a part of future zoning.

Any future consideration of suitable minimum lot sizes must incorporate into its analysis the impact such determination would have upon the affordability of housing opportunities within the town.

Future zoning should also consider the use of incentive zoning to steer residential development into areas in proximity to the existing hamlet areas. This will have the double effect of utilizing or expanding existing infrastructure as well as preserving agricultural lands and open space in areas throughout the Town not in proximity to hamlets.

### 3.2c

## Town of Westerlo, Albany County, New York

### Comprehensive Plan

All new developments shall be required to use individual, private well and septic systems.

#### **Major Subdivisions**

The availability of significant tracts of undeveloped land within the Town gives rise to the possibility of applications for major subdivisions. The Town's zoning code should utilize all available zoning tools to reduce the potential impacts of major subdivision developments. Among the tools that should be incorporated into the new zoning Code to limit impacts from major subdivisions, are incentive zoning, use of conservation easements, mandatory open space set asides, purchase or transfer of development rights authority, set back and dimensional restrictions, planned development zoning districts, cluster developments, or a combination of these tools.

#### **Water Resources**

Consideration of impacts upon water resources must play an integral role in any zoning and planning decisions for a number of important reasons. **First**, all potable water in the town, including the water utilized in the Westerlo hamlet's water district, comes directly from wells located within the town. **Second**, the town is home to the Basic Creek Reservoir and a large portion of the Town is located in the reservoir's watershed.

**Third**, a significant portion of the surface waters of the Town feed the Alcove Reservoir. In addition, there exist many streams, creeks, ponds, and Lake Onderdonk which provide scenic beauty and recreational opportunities as well as wildlife habitats.

**For these reasons, all zoning actions should take into account potential impacts to the Town's water resources.**

Future zoning should include appropriately scaled set back restrictions and buffers between new development and existing water resources.

### 3.2d

#### **Tax Exempt Impacts**

Future zoning should take into account the impact that large parcels or many parcels of tax exempt land may have on the tax base of the town.

#### **Items to be discussed when zoning regulations are reviewed.**

During the writing process of the Comprehensive Plan, multiple public meetings were held, that emphasized the importance of public input. There were many specific items that the public asked us to address in this Plan. The Advisory Committee felt it necessary to bring these items to the attention of the Town Board.

#### **Alternative Energy Resources**

Alternative energy may become a large factor in current and future times. Any legislation concerning alternative energy devices should be supportive of them, however, they should also subject them to Special Use Permit review to evaluate potential impacts on neighboring properties and residences.

#### **Temporary and Portable Buildings and Structures**

It is the belief of the Comprehensive Plan Advisory Committee, that all temporary or portable buildings should meet New York State building codes pertaining to them.

#### **Outdoor Wood Burning Appliances**

Any legislation regarding outdoor wood appliances should include the necessity of a permit. It should also address chimney height and the need for spark arrestors to protect the health and safety of all neighbors.

#### **Services**

While it is understood that the Town cannot force utilities or companies to come to our town, it is our belief that the Town would benefit greatly from the availability of more services. The most recommended services were high speed internet access and housing for the elderly and handicapped.

3.2d(cont.)

### **Property Maintenance**

The Comprehensive Plan Advisory Committee received significant public input about the need for property maintenance standards and enforcement. Members of the Zoning Board of Appeals, specifically, identified this area as troublesome in their experience as ZBA members. Readily ascertainable standards of property maintenance, with effective enforcement mechanisms, should be included in the new zoning code. (Note: Local Law #1 of 2012 – ‘Unsafe Buildings, Collapsed Structures and Burned Out Buildings’).

# Town of Westerlo, Albany County, New York

## Comprehensive Plan

### The Lake Onderdonk Area



**Lake Onderdonk** is located in the Town of Westerlo and was formally known as Mud Hollow Pond. A dam was built to make it a mill pond for the South Berne Mill a mile north. Currently the shoreline is divided into building lots. Originally, they were only summer camps; most of these are now year round homes. In the winter, Onderdonk was a favorite ice racing lake.

## 4.0a

### Town of Westerlo, Albany County, New York

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The Lake Onderdonk area shall be defined throughout this document as any property that is partially or wholly within 500' of the high water mark of the body of water known as Lake Onderdonk. The Lake Onderdonk area possesses characteristics and qualities that are unique unto itself.

These characteristics help to define Lake Onderdonk and make it a desirable place to live. However, these characteristics are also a self-limiting factor as to how much residential settling should occur around the lake. After numerous workshops with the residents of Lake Onderdonk, the Comprehensive Plan Advisory Committee believes that most residents of the Lake enjoy the area the way it is.

Their main concern for the area has been and continues to be the water quality of the Lake. Many of the lots around the Lake are substandard and have septic systems that do not conform to Albany County Department of Health standards.

Under our current zoning regulations, any building permits for new building or remodeling to take place on substandard lots required the Town of Westerlo Zoning Board of Appeals to grant a zoning variance.

This variance process was one of the complaints made to the Comprehensive Plan Advisory Committee by Lake Onderdonk residents. Although some residents feel that the variance process is long and complicated, it is important that all aspects of zoning variance be looked at and considered before granting or denying a variance application to ensure that the lake is protected.

After consideration by the Comprehensive Plan Advisory Committee, it has been determined that the **variance process** is the best possible zoning tool to use in the Lake Onderdonk area. By continuing to use the **variance process** on all substandard lots it will allow for regulated growth and change in the Lake Onderdonk area, while protecting the water quality of the lake.

## 5.0

### Town of Westerlo, Albany County, New York

#### Comprehensive Plan

##### **Recreational Uses**

The Comprehensive Plan Advisory Committee received significant public input about the importance of recreational uses of property for pursuits such as hunting and snowmobiling. Any future zoning enactments should specifically consider potential impact to existing recreational uses and should seek to maximize allowable and suitable recreational uses of property.

##### **Recreation**



**Bear Swamp Preserve** was designated a Registered National Natural Landmark by the Department of Interior in 1973. Bear Swamp itself dates from 13,000 years ago, with the retreat of the last glacier. The interior of Bear Swamp supports a relic stand of giant rhododendron, the northernmost in Albany, N.Y. It is the nesting area to numerous Great Blue Herons. Why ‘Bear Swamp’? There was, in fact, a Mr. Bear who bought this land from Stephen Van Rensselaer in the late 1800s. It is also true that “bear swamp” is

## 5.1

### Town of Westerlo, Albany County, New York

#### Comprehensive Plan

(Bear Swamp cont.)

generic American for swamps with the kinds of plants found here, including blueberries, which bears relish. In the early spring, you might catch a glimpse of “momma” bear and her cub.

#### **Westerlo Town Park**



**Westerlo Town Park** - located on the outskirts of the hamlet of Westerlo on County Route 401. Features include a large pavilion with electric, men’s and ladies restrooms with running water and hose hookup, barbecue pits and picnic areas.

Outdoor activities include:

2 tennis courts Little League ball field Volleyball net Basketball court Softball field  
Nature trails in the summer Snowmobile trail 2 playgrounds (1 for young children, 1  
for older children) Cross-country skiing Snowshoeing Horseshoe pits

## 5.1a

Town of Westerlo, Albany County, New York

Comprehensive Plan

### **SOUTH WESTERLO TOWN PARK**



**Blaisdell-White Memorial Town Park** - located in South Westerlo on County Route 401. Features include a small pavilion with electric, portable restrooms, well with hose hookup.

Outdoor activities include:  
2 Little League ball fields  
Basketball courts

5.1b

Town of Westerlo, Albany County, New York

Comprehensive Plan

(town parks cont.)



Playground

Both parks open early morning until 10:00 p.m. may close earlier during the winter.

Call (518) 797-3111 for information and reservations. ([www.townofwesterlony.org](http://www.townofwesterlony.org))

## 5.1c

Town of Westerlo, Albany County, New York

### Comprehensive Plan

#### **Basic Creek Reservoir**



**Basic Creek Reservoir** is one of three reservoirs in the City of Albany, New York's water system. The reservoir is located in Westerlo, New York and was constructed from 1928-1932 by damming the Basic Creek and flooding former farmland and forest. It is bisected by Albany County Route 404 causeway.

The Basic Creek Reservoir serves as a feeder reservoir, allowing water from the Basic Creek watershed to be diverted to the Hannacroix Creek, which in turn flows into the Alcove Reservoir, the primary source of water for the city.

The Basic Creek has a storage capacity of 716 million US gallons with an average depth of 17 feet, 265 acres of water with 5 miles of shoreline.

5.1d

Town of Westerlo, Albany County, New York

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(Basic reservoir cont.)

The City of Albany permits fishing and it is home to a variety of wildlife ranging from the migrating Canadian Geese and Mergansers to a mated pair of Bald Eagles and a pair of Mute Swans.

## 6.0

### Town of Westerlo, Albany County, New York

#### Comprehensive Plan

#### **Westerlo Public Library**



**SITUATED AT THE INTERSECTION OF NYS RT 143 AND CR 1**

#### **History of the Town of Westerlo Public Library**

The Westerlo Public Library celebrated its 25th year of service in June 2011. It had been the hope of many Westerlo residents for many years to have their own town library.

The building had been used as a general store throughout the eighteen hundreds and the early nineteen hundreds by the Green family. It was then leased to Edwin Hannay and used as a car repair shop and show room for the new Model T Fords.

In 1915 it was purchased by Vernon Whitford and operated as an ice cream parlor and then expanded to a general store until his death in 1948. Mrs. Bell, who worked as a clerk for Mr. Whitford, inherited the store and continued to operate it until her death.

In 1983, Harold Bell generously donated his historic “Whitford Store” to the Town of Westerlo to be used as a library and historical museum. Mr. Bell made the donation in memory of his beloved wife, Helen Taylor Bell, an ardent reader and history lover, who passed away in 1982.

Mr. Bell passed away in December 1983, eleven days after the official transfer of his building to the Town of Westerlo.

## 6.0a

### Town of Westerlo, Albany County, New York

## Comprehensive Plan

(Library cont.)

On June 8, 1986 the Westerlo Public Library had its official opening with Ruth Hannay as its first Director. Much hard work preceded that opening. For over two years, the Library Committee, along with various community organizations and many volunteers, worked innumerable hours renovating the building, which had no central heating or plumbing.

Local librarians cataloged the books, which had been donated. Community volunteers typed thousands of catalog cards, sometimes wearing gloves during the colder winter days, to get the books shelf-ready so that the library could obtain a charter and be eligible for State funds.

Since then, the library has moved forward into the electronic age with high speed internet access, Wi-Fi, on-line requests and account management while still maintaining its friendly service, relaxed atmosphere and many new items on the shelves for our browsing patrons. The library has been a community project and is committed to serving the needs

**Services at the Westerlo Public Library** – [www.westerlolibrary.org](http://www.westerlolibrary.org)

**Materials Available for Loan** – Books, magazines, movies on DVD and VHS, books on CD, and music CDs. For details on loan policy – [click here](#).

**Reference Services** - If you need assistance in finding an item or have any questions please ask for help at the circulation desk. You may also call the library for quick information or to check if a certain book, magazine, etc., is available.

**Reserves** - You may reserve an item that has been checked out. We do not take reserves on our New materials.

**Large Print Materials** - The library has large print books available for borrowing.

**Renewals** - Renewals are permitted if there are no outstanding requests for those items. DVDs cannot be renewed.

**Online Public Access Catalog** - You can check online for current listings and status of all items in the Upper Hudson Library System or for specific libraries. See our Library Links to use your library card and pin number to order items, review your account, renew most items and sign up for e-mail notification of requests and overdue items.

6.0b

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(library cont.)

**Internet** - High speed Internet and printer access are available for patrons using one of the library computers. All users of the Library Internet must read, sign, and follow the library's computer usage policy.

**Wi-Fi** - Access is available both inside and outside the building.

**Outdoor Return** - All items may be returned in the book return box on the porch when the library is closed. When the library is open, all items should be returned to the circulation desk.

**Tax Forms** - During the tax filing season, the library has copies of many of the federal tax forms and state tax forms.

**Fax Machine** – Our fax machine is available for public use both for sending and receiving faxes. The charges are posted in the library.

**Photocopy Machine** – Copies can be made for \$0.20 per page.

**Interlibrary Loan** - If the library does not own an item you would like, we will try to borrow it from another library for you.

**Reading Help** - Adults who would like help learning to read or would like to receive training as reading tutors should ask for information at the circulation desk.

## 6.1

### Town of Westerlo, Albany County, New York

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### **Schools**

The Town of Westerlo is located within the boundaries of 3 school districts; Berne-Knox-Westerlo High School ([www.bkwschools.org](http://www.bkwschools.org)), Greenville Central Schools ([www.greenville.k12.ny.us](http://www.greenville.k12.ny.us)) and Ravena Coeymans Selkirk Central School ([www.rcscsd.org](http://www.rcscsd.org)) .

### **Zoning Districts**

The Town of Westerlo has 3 zoned districts; Rural Residential/Agricultural, Hamlet and Light Industrial. There are 2 hamlets in the Township, the Hamlet of Westerlo and the Hamlet of South Westerlo. The light industrial district is located on the Northern edge of the Westerlo hamlet.

**In 1989**, The Town of Westerlo enacted “Local Law #1 of 1989”. The general and overall intent of this Local Law is to promote the health, safety and welfare of the community. Further, it established a variety of use districts within the Town to accommodate a diversity of residential densities and types.

The Local Law is also designed to encourage the most appropriate use of the land based on its natural characteristics and minimize conflicts from incompatible uses.

It provides a guide to prevent undue concentration of population and resultant overcrowding of the land.

The Law also takes into consideration the importance to protect natural and scenic resources such as lakes, stream, watersheds, wetlands, and aquifers. Historic sites and agricultural areas. It is meant to maintain and enhance the rural characteristics of the Town. The additions and updates to the Local Law can be viewed on the Town website.

([www.townofwesterlony.org](http://www.townofwesterlony.org))

## 6.2

### Town of Westerlo, Albany County, New York

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##### **Interpretation of Rural Residential/Agricultural District:**

The purpose and intent of this zone is to encourage the development of the residential, agricultural and commercial land uses in densities compatible with the ability of the land to absorb such uses and to establish minimum, site development standards for certain specified uses.

##### **The uses permitted by right are as follows:**

One through four family dwelling, all of which must be attached.

Home occupations, single mobile homes, and solar energy systems,  
Full or part-time agricultural or forestry uses;

Any educational or religious use involving less than 50 people.

This Law also provides for **special use permits** whereby an approved site plan that **differs** from the already approved usages.

Mobile home parks, travel trailer parks and campgrounds, multiple family dwellings for 5 or more units (all of which must be attached), including homes for senior citizens.

Airport strips, airports and heliports.

Recreational, essential services (rescue, fire houses, police)

##### **Interpretation of Residential Hamlet District:**

The hamlets were determined to be suitable for commercial uses, specifically retail, office and professional type uses. Zoning can best regulate commercial development in the hamlets by restricting type of use and employing special use permit and site plan review processes.

## 6.2a

### Town of Westerlo, Albany County, New York

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This will ensure that commercial development does not negatively impact existing residential uses in the hamlets.

There are 2 hamlets in the Township, the Hamlet of Westerlo and the Hamlet of South Westerlo.

The purpose and intent of this zone is to recognize established areas where residential and commercial uses are intermixed and lots are small.

#### **The uses permitted by right are as follows:**

One and two family dwellings excluding, however, mobile homes  
Solar energy systems, home occupations, any education or religious activities involving less than 50 people.

This Law also provides for **special use permits** whereby an approved site plan that **differs** from the already approved usages.

Retail commercial uses – such as retail businesses, auto service stations, banks, restaurants, inns and motels.

Essential services such as rescue, volunteer fire services, police services.  
Medical, educational and religious entities.

#### **Interpretation of Light Industrial District:**

This district provides for the establishment of facilities, warehousing and related activities of an industrial nature whose activities do not, in their normal use, constitute a fire hazard or emit smoke, glare, noise, odor or dust.

6.2b

## Town of Westerlo, Albany County, New York

### Comprehensive Plan

This establishment can not extend or impact beyond the lot lines or boundaries of the premises, or impact negatively on the aquifer or on the environment in general. It cannot negatively impact, or constitute a nuisance or detriment to neighboring properties and to public health, safety or the general welfare.

#### **The uses permitted by right**

NONE

#### **The uses permitted upon obtaining site plan approval and special use permit:**

Any assemblage of manufactured components to a finished product.

#### **Hydrofracking**

Hydrofracking has become an important topic in Westerlo. Our neighboring towns are all in the process of addressing this very important prospect. As this Comprehensive Plan is being written, Westerlo has an all volunteer Hydrofracking Committee that are working together to compile pertinent information to present to the Town Board in a comprehensive form. As of this writing, there is no information that can be included given the progress of the Committee. (Note: Local Law #1 of 2013 extending the existing moratorium for an additional 12 months.)

#### **Water District**

Currently, the Town of Westerlo has one water district identified as 'Water District One.' The water district supplies water to a large portion of the Westerlo hamlet. (See map). (Note: Local Law #2 of 2013 amending Local Law #1 of 2005, the Town of Westerlo Water Use Law' by adding new section 804, 'Water Board'.)

7.0

## Town of Westerlo, Albany County, New York

### Comprehensive Plan

#### Museum

The museum is currently located in the Westerlo Public Library building and is open during regular library hours.

The Percy house is being renovated to house the Museum upon completion. It is located on Albany Co. Rt. 401 next to Woodman's Hall.



**PERCY HOUSE- WESTERLO MUSEUM**

8.0

Town of Westerlo, Albany County, New York

Comprehensive Plan

**WESTERLO EMERGENCY SERVICES**

**WESTERLO RESCUE SQUAD**



**HEADQUARTERS 571 RT. 401**

8.0a

Town of Westerlo, Albany County, New York

Comprehensive Plan

**WESTERLO FIRE DEPARTMENT**

**WESTERLO VILLAGE FIREHOUSE**



**LOCATED AT 592 STATE RT. 143**

8.0b

Town of Westerlo, Albany County, New York

Comprehensive Plan

**SOUTH WESTERLO FIRE HOUSE**



**LOCATED AT 157 CR 405**

8.0c

Town of Westerlo, Albany County, New York

Comprehensive Plan

**NEW YORK STATE POLICE – WESTERLO SUBSTATION  
TOWN JUSTICE AND COURT ROOM**



**671 COUNTY RT. 401**

The Town of Westerlo Justice building houses the offices for the Town justices, the courtroom and a manned NY State Police substation. The Town of Westerlo is also served by the Albany County Sheriff's Department based in Clarksville, N.Y. [westcourt@mhccable.com](mailto:westcourt@mhccable.com)

8.0d

Town of Westerlo, Albany County, New York

## Comprehensive Plan

### TOWN SERVICES

SUPERVISOR – [westsuper@mhicable.com](mailto:westsuper@mhicable.com)

933 CR 401

ASSESSOR'S OFFICE – [westerlo@mhicable.com](mailto:westerlo@mhicable.com)

933 CR 401

TOWN CLERK – [westclerk@mhicable.com](mailto:westclerk@mhicable.com)

933 CR 401

CODE ENFORCEMENT AND ZONING OFFICES

[westenforce@mhicable.com](mailto:westenforce@mhicable.com)

933 CR 401

### HIGHWAY DEPARTMENT



**671 COUNTY RT. 401**

[westroads@mhicable.com](mailto:westroads@mhicable.com)

Nestled in the Helderberg Mountains in Albany County, the Town of Westerlo Highway Maintenance Department services 56 miles of town roads, 63 miles Of county roads and 22 miles or state roads .

8.0e

Town of Westerlo, Albany County, New York

Comprehensive Plan

(Town services, cont.)

**TRANSFER STATION**

88 Anable Road

HOURS:

TUESDAY: 8:00AM- 3:45PM

SATURDAY: 8:00AM- 3:45PM

SUNDAY: 8:00AM – 11:45AM

Permits can be obtained from the Town Clerk at the Town Hall, 933 CR 401  
([westclerk@mh cable.com](mailto:westclerk@mh cable.com))

The Town residents who are unable to go to the Transfer Station, are serviced by 3 independent haulers.

The Transfer Station has single stream recycling as well as recycled scrap metal. Other items ranging from refrigerators to propane tanks are also accepted but must have permission through the Town Clerk.

9.0

Town of Westerlo, Albany County, New York

Comprehensive Plan

ALCOVE AND BASIC CREEK RESERVOIR



The Alcove Reservoir, watershed for Albany, N.Y. is fed by The Basic Creek Reservoir.

Town of Westerlo, Albany County, New York

Comprehensive Plan

BASIC CREEK RESERVOIR



## 10.0

### Town of Westerlo, Albany County, New York

## Comprehensive Plan

### **Albany County Agricultural Districts**

In 1971, the New York State Legislature created an Agricultural Districts Program in response to concerns that non-agricultural land uses were expanding into valuable farm areas. This program, based on Agriculture and Markets Agricultural District Law Article 25-AA, allows the creation of Agricultural Districts where agriculture is encouraged and protected. Agricultural Districts programs are authorized at the state level and implemented at the county level. These districts are not the same as agricultural zoning that a town may have although the two often overlap. Voluntary enrollment in the program provides farmers with benefits including:

- Differential tax assessment;
- Protection against unreasonable local regulations;
- Special review of proposed eminent domain takings;
- Required Agricultural Impact Statement for public projects;
- Notification requirement to inform property buyers about surrounding farming practices; and
- Limited protection against nuisance lawsuits.

The first Agricultural District in Albany County was created in the towns of Berne and Knox and certified in July 1974. Between 1974 and 1977, the Albany County Legislature formed five more Agricultural Districts. In the early 1980s, the Agricultural District Law was amended to allow parcels to be placed in an Agricultural District that were not contiguous. This led to consolidation of what was once six districts into the three current Agricultural Districts:

- District #1: Berne, Knox (27,637 acres)
- District #2: **Westerlo**, Rensselaerville (17,696 acres)
- District #3: Bethlehem, Coeymans, Cohoes, Colonie, Guilderland, New Scotland (25,684 acres)

Participation in Albany County's Agricultural Districts Program has steadily increased since its inception. Today, there are 71,017 acres of land included in the three districts, which represents most of the County's productive agricultural land. The majority of the contiguous blocks of districted agricultural land are in the rural towns of Berne, Knox, Westerlo, and Rensselaerville, although the increasingly suburban town of New Scotland also has a significant amount of acreage remaining in agriculture. Agricultural District lands are somewhat dispersed throughout the Town of Coeymans and the more densely populated towns of Guilderland, Colonie, and Bethlehem.

11.0

Town of Westerlo, Albany County, New York

Comprehensive Plan

**Recommendations for the Future**

**Recommendations for the Future**

The goals and objectives of this Comprehensive Plan should be reviewed periodically and revised as circumstances change. Review of the Comprehensive Plan should take place at no longer than five year intervals. Any such review should continue the precedent of this Comprehensive Plan Advisory Committee of providing an open forum for public participation, input and comment as has been the practice of this Committee.

Dated: May 27, 2014

The Town of Westerlo Comprehensive Plan Advisory Committee:

\_\_\_\_\_  
Gerard Boone

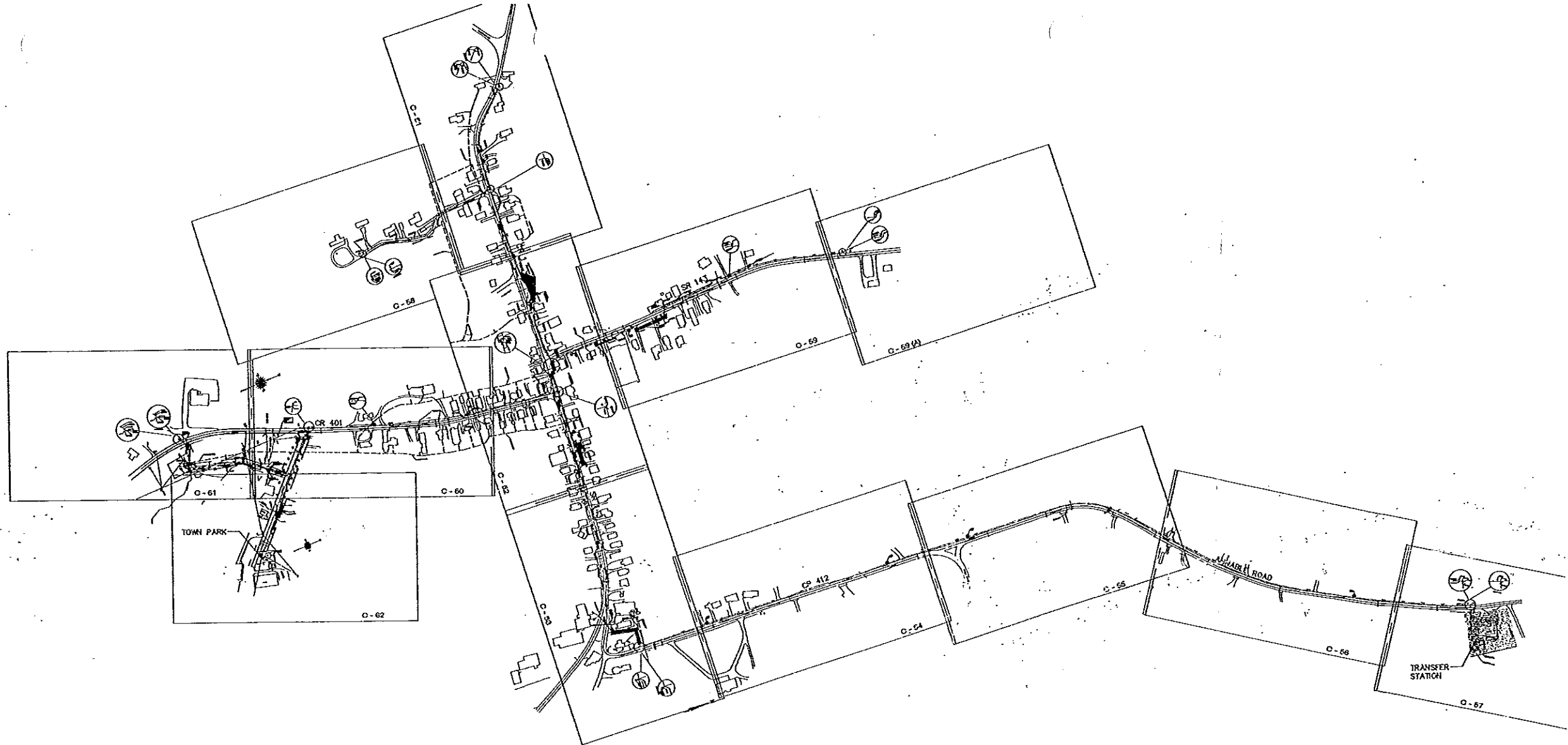
\_\_\_\_\_  
Richard Kurylo

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Edwin Stevens

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Doyle Shaver Jr






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Dorothy Verch

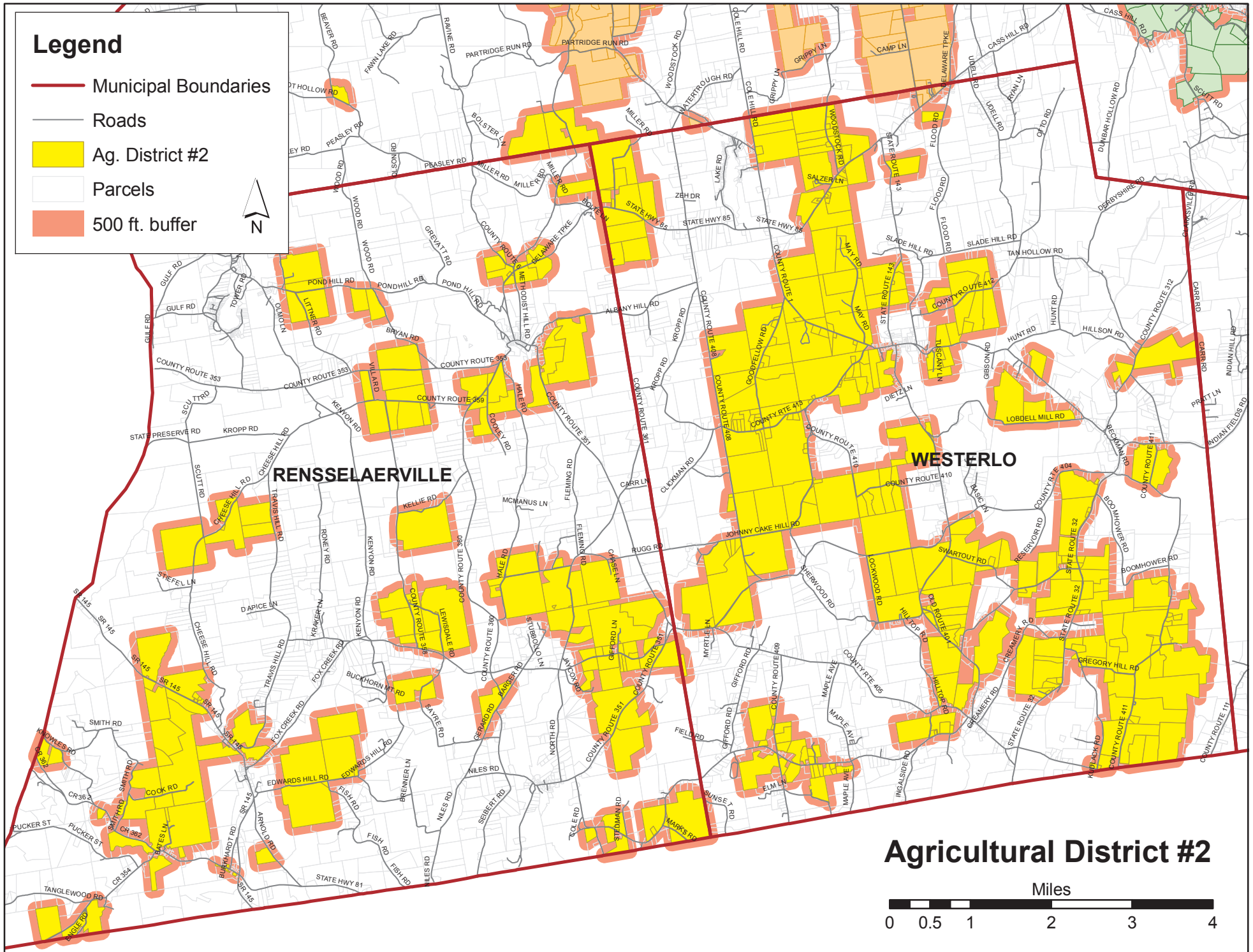
APPROVED BY THE WESTERLO TOWN BOARD JANUARY 6, 2015

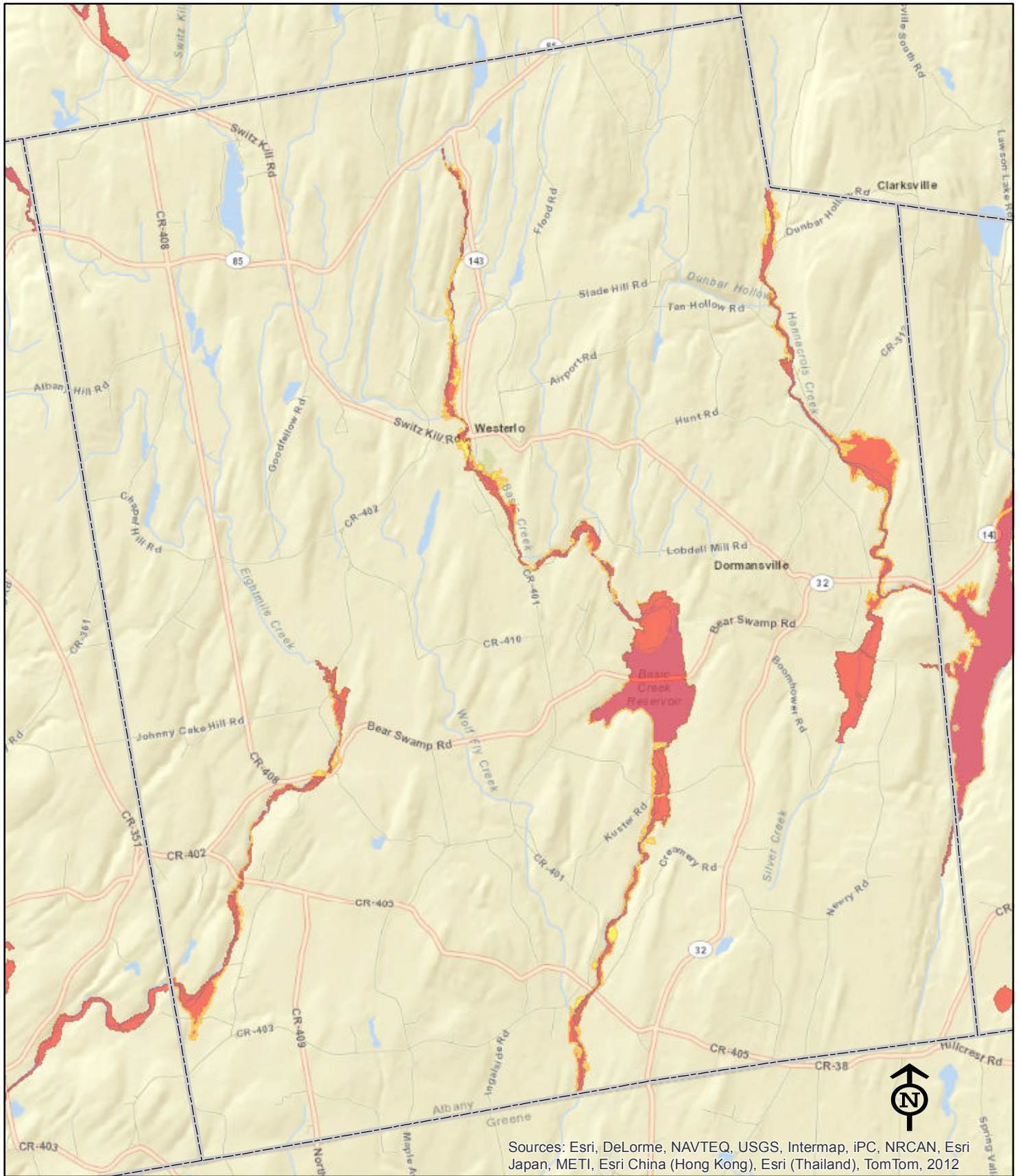


RESERVED FOR HEALTH DEP

# Legend

-  Municipal Boundaries
-  Roads
-  Ag. District #2
-  Parcels
-  500 ft. buffer





**Flood Zones**

- AE
- A
- 0.2% ANNUAL CHANCE FLOOD HAZARD
- Municipal Lines

**Town of Westerlo Draft Revised Flood Zones**

